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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,088	08/20/2001	Juergen Schlesinger	1717	6643

7590 03/16/2006

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EXAMINER	
ISMAIL, SHAWKI SAIF	
ART UNIT	**PAPER NUMBER**
2155	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/933,088	SCHLESINGER ET AL.	
	Examiner	Art Unit	
	Shawki S. Ismail	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 December 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-8,10,11 and 13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-8,10,11 and 13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment filed on December 29, 2005.

Claims 1 and 8 have been amended.

Claims 4, 9 and 12 have been cancelled.

Claim 13 has been newly added.

Claims 1-3, 5-8, 10-11 and 13 are pending.

The Old rejection maintained

2. The rejection is respectfully maintained as set forth in the last Office Action mailed on October 21, 2004. Applicants' arguments with respect to claims 1-3, 5-8, 10-11 and newly added claim 13 have been fully considered but they are not persuasive and therefore the old rejection is maintained

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 1-3, 5-8, 10-11 and 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Yarborough et al**, (Yarborough) U.S. Patent No. **6,718, 388** and in view of **"Official Notice".**

5. As to claim 1, Yarborough teaches a method of establishing a data connection between a first computing device and a second computing device (see Fig. 2, col. 6, lines 23-24, user terminal 2 seeks to establish a session with host 4), comprising the steps of:

establishing a data connection to a second computing device through a third computing device formed as a firewall (see Fig. 2, col. 5, lines 1-13, user terminal 2 seeks to establish a session with host 4 through a firewall);

supplying from the first computing device a query signal to the third computing device formed as a firewall (see Fig. 2, col. 5, lines 1-13, user terminal 2 seeks to establish a session with host 4 through a firewall);

testing the query signal by the third computing device formed as a firewall (see Fig. 2, col. 5, lines 1-13, user terminal 2 seeks to establish a session with host 4 through a firewall);

supplying by the third computing device, when a predetermined query signal is available, the query signal to a fourth computing device formed as a proxy (see Fig. 2, col. 5, lines 52-64, col. 6, lines 12-14, PPS 18);

testing the query signal by the fourth computing device formed as a proxy (see Fig. 2, col. 6, lines 23-38, col. 6, lines 58-65, PPS 18 communicates with GPS 22 to determine whether communication is possible);

establishing by the fourth computing device formed as a proxy when a predetermined parameter is available through the third computing device formed as a firewall a data connection between the first and the second computing device (see Fig. 2, col. 6, lines 23-38, col. 7, lines 41-64, PPS 18 establishes a communication session between user terminal 2 and host 4).

Yarborough does not explicitly teach wherein the fourth computing device modifies or changes the source address and the destination address.

However "Official Notice" is taken that it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention that such modification or change is well known and expected in the network resource access-controlling field, most commonly referred to as network Address Translation (NAT). NAT is used to hide the identity of the host so that clients in the public network are not aware of the host's address inside the private network. A router will typically translate the source address into a globally unique address when a packet leaves the private network and translate the globally unique destination address into a local address.

6. As to claim 2, Yarborough teaches the method as defined in claim 1, and further comprising before the establishing a data connection, testing by the third and/or the fourth computing device an access readiness of the first computing device, and allowing a data connection when the access readiness is provided (col. 6, lines 23-38).

7. As to claim 3, Yarborough teaches the method as defined in claim 2, and further comprising performing by the fourth computing device a testing of the access readiness (col. 6, lines 23-38); establishing a data connection to the second computing device

through the third computing device by the fourth computing device when the access readiness is provided (col. 6, lines 58-65); and allowing by the third computing device the data connection between the fourth computing device and the second computing device without testing an access readiness (col. 7, lines 41-64).

8. Claims 8 and 10 do not teach or define any new limitations above claims 1-3 and therefore are rejected for similar reasons.

9. Claims 6, 7, and 11, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yarborough et al, (Yarborough)** U.S. Patent No. **6,742,039**and in view of **Coley et al., (Coley)** U.S. Patent No. **6,061,798.**

10. As to claims 6, 7, and 11 Yarborough teaches the method as defined in claim 1 wherein the data connection between a remote computer and local computer are established through the help of an arbitrator and a connection entity. Yarborough teaches where the remote computer supplies information to the arbitrator in regards to the request (col. 4, lines 14-23.)

However, Yarborough does not explicitly teach wherein the supplied information includes an alias name.

Coley teaches a firewall element for protecting network elements connected to a public network by addressing them according to an alias rather then by their IP addresses. The firewall contains an alias name corresponding to each computer on the network (col. 13, lines 16-24.)

It would have been obvious to one of ordinary skill in the art at the time of the applicants was made to incorporate the teaching of Coley as stated above with the

network connection of Yarborough for including an alias name with the supplied information because it would have increased security of the network. Firewalls identified each computer's alias name with its corresponding IP address

11. As to claims 5, Yarborough does not explicitly teach wherein the fourth computing device modifies or changes the source address and the destination address.

However "Official Notice" is taken that it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention that such modification or change is well known and expected in the network resource access-controlling field, most commonly referred to as network Address Translation (NAT). NAT is used to hide the identity of the host so that clients in the public network are not aware of the host's address inside the private network. A router will typically translate the source address into a globally unique address when a packet leaves the private network and translate the globally unique destination address into a local address.

12. As to claim 13, Yarborough teaches a method of establishing a data connection between a first computing device and a second computing device (see Fig. 2, col. 6, lines 23-24, user terminal 2 seeks to establish a session with host 4), comprising the steps of:

establishing a data connection to a second computing device through a third computing device formed as a firewall (see Fig. 2, col. 5, lines 1-13, user terminal 2 seeks to establish a session with host 4 through a firewall);

supplying from the first computing device a query signal to the third computing device formed as a firewall (see Fig. 2, col. 5, lines 1-13, user terminal 2 seeks to establish a session with host 4 through a firewall);

testing the query signal by the third computing device formed as a firewall (see Fig. 2, col. 5, lines 1-13, user terminal 2 seeks to establish a session with host 4 through a firewall);

supplying by the third computing device, when a predetermined query signal is available, the query signal to a fourth computing device formed as a proxy (see Fig. 2, col. 5, lines 52-64, col. 6, lines 12-14, PPS 18);

testing the query signal by the fourth computing device formed as a proxy (see Fig. 2, col. 6, lines 23-38, col. 6, lines 58-65, PPS 18 communicates with GPS 22 to determine whether communication is possible);

establishing by the fourth computing device formed as a proxy when a predetermined parameter is available through the third computing device formed as a firewall a data connection between the first and the second computing device (see Fig. 2, col. 6, lines 23-38, col. 7, lines 41-64, PPS 18 establishes a communication session between user terminal 2 and host 4).

Wherein the data connection between the first and the second computing device is established by the first computing device to the fourth computing and back from the fourth computing device to the third computing device (refer to Fig. 2 and 3, col. 5, line 65 – col. 6, line 38, the data connection between the client terminal and the host is established by the client terminal to the proxy 18 and back to the firewall 16).

Response to Arguments

13. Applicants' amendment and arguments with respect to claims 1-3, 5-8, 10-11 and newly added claim 13 filed on December 29, 2005 have been fully considered but they are not deemed to be persuasive. Applicant argues in substance that:

(A) Argument: The cited art does not describe the use of target addresses and sender addresses and a method for changing the addresses.

Response: As was explained to applicant's representative in the personal interview that was held on February 9, 2006, although the focus of amended claim 1 is not to hide an internal address to the public, the functionality is nonetheless the same. The amended claim states that the fourth computing device changes the sender address which may be an address of the first computing device into it's own address. This is similar to the functionality of Network address translation (NAT), which is used to hide the identity of the host so that clients in the public network are not aware of the host's address inside the private network. A router will typically translate the source address into a globally unique address when a packet leaves the private network and translate the globally unique destination address into a local address, and therefore meets the scope of the claimed limitation (refer to the rejection of claim 1 above).

(B) Argument: The features of claim 13 are not disclosed in the reference

Response: The data connection between the client terminal and the host is established by the client terminal to the proxy 18 and back to the firewall 16 (refer to Fig. 2 and 3, col. 5, line 65 – col. 6, line 38).

(C) Argument: The features of claim 8 are not disclosed in the prior art applied by the examiner

Response: Examiner respectfully disagrees. Claim 8 contains does not teach or define any new limitation above claims 1, therefore it has been rejected for similar reasons. Refer to the response of Argument (A) above .

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
March 10, 2006

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER